

## **REMARKS**

In response to the Office Action dated March 20, 2007, having been duly extended from June 20, 2007 until July 20, 2007 by the attached Petition for Extension of Time, the above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1-12 have been amended to more particularly point out and distinctly claim the subject matter of the invention. New claims 13-28 are added, to recite additional aspects of the invention which were disclosed in the application as originally filed. No new matter has been added. Claims 1-28 are respectfully submitted for consideration.

Claims 3-5 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 3-5 have been amended to more particularly point out and distinctly claim the subject matter of the invention, and to overcome this objection.

Claims 1-9, 11, and 12 were rejected under 35 U.S.C. §102(e) as being anticipated by Koike (U.S. Patent Publication 2003/0084300). As will be discussed below, applicants submit that each of claims 1-28 recite subject matter which is neither disclosed nor suggested in Koike.

Claim 1, upon which claims 2-10 are dependent, is directed to a method for controlling transfer of data between a service provider and a user in a communication system, where the service provider possesses a privacy policy. The method comprises introducing, to a broker, a usage policy for constraints related to data of a user. A request for data is received, associated with the user associated from a service provider to the

broker. The method then checks, in the broker, the request against a usage policy of the user. It is then decided whether the data can be released. The privacy policy and the usage policy specify a strictness level from a selected defined set of strictness levels describing the constraints related to the access of the data.

Independent claim 11 is directed to a data transfer system, comprising a service provider possessing a privacy policy, and a broker hosting a usage policy for constraints related to data of a user. The broker is configured to check a request from the service provider against the usage policy of the user, and to decide whether data associated with the user can be released in response to the request.

Independent claim 12 is directed to a data transfer system comprising introducing means for introducing to a broker a usage policy for constraints related to data of a user, and receiving means for receiving a request for data associated with the user from a service provider to the broker. Checking means check, in the broker, the request against the usage policy of the user. Deciding means decide whether the data can be released.

As will be discussed below, Koike fails to disclose or suggest the subject matter of any of claims 1-12, or any of new claims 13-28.

Koike discloses a system for administrating data including privacy of the user and communication made between server and user's terminal device. Figure 1 of Koike discloses a configuration wherein privacy data administrator 100 runs a program 90 for administrating privacy data, and is disposed between terminal device 120 and server 110, and includes a request receiver, a policy receiver, a comparator, and a memory. An

example of privacy preference 50 is illustrated in Figure 3, and determines whether a prescribed privacy policy 30 is acceptable to a particular user. However, it is important to note that there is no disclosure nor suggestion in Koike of any method or apparatus wherein a privacy policy and/or usage policy specifies a strictness level which is selected from a defined set of strictness levels, with the strictness levels describing constraints related to the access of data. The configurations of Koike merely disclose individually specified conditions for release of information, according to privacy preference 50.

As discussed in applicant's present specification, the use of strictness levels selected from a defined set of strictness levels provides numerous significant advantages with respect to the present invention. For example, the use of a defined set of strictness levels enables certain levels of standardization.

With respect to claim 11, there is simply no disclosure nor suggestion in Koike of a broker hosting a usage policy for constraints related to data of a user. Similarly, there is no disclosure nor suggestion of any configuration which can check a request from the service provider against the usage policy of a user, and to decide whether data associated with the user can be released in response to the request.

Claim 10 was rejected under 37 U.S.C. 103(a) as being unpatentable over Koike, and further in view of Holtmanns (U.S. Patent Publication 2005/0086061). Holtmanns is cited as disclosing that it is known in the art to attach and electrically sign usage policy to data when the data is released. However, applicants respectfully but strongly submit that Holtmanns fails to cure the significant deficiency which exists in Koike. There is no

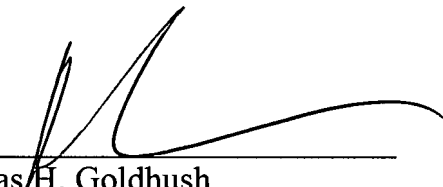
disclosure nor suggestion in any combination of Koike and Holtmanns of a method or apparatus which utilizes privacy policy and usage policy specifying a strictness level, selected from a defined set of strictness levels, describing the constraints related to the access of data. Similarly, there is no disclosure nor suggestion in either of these references of a data transfer system or device as recited in any of claims 1-28, or the computer readable medium recited in these claims.

In view of the above, applicants respectfully submit that each of presently pending claims 1-28 recite subject matter which is neither disclosed nor suggested in the cited prior art. Applicants submit that the subject matter is more than sufficient to render the claimed invention unobvious to a person of ordinary skill in the art. Applicants therefore request that claims 1-28 be found allowable, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

  
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Enclosures: Petition for Extension of Time